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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/529,873	07/27/2000	ANDREW BRUCE HOLMES	C1043/7023	3741

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[REDACTED] EXAMINER

TRUONG, DUC

ART UNIT	PAPER NUMBER
1711	25

DATE MAILED: 03/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 09/529,873	Applicant(s) HOLMES ET AL.
	Examiner Duc Truong	Art Unit 1711
	--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --	
<p>THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.</p>		
PERIOD FOR REPLY [check either a) or b)]		
<p>a) <input checked="" type="checkbox"/> The period for reply expires <u>3</u> months from the mailing date of the final rejection.</p> <p>b) <input type="checkbox"/> The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than <u>SIX MONTHS</u> from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).</p>		
<p>Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</p>		
<p>1. <input type="checkbox"/> A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.</p>		
<p>2. <input checked="" type="checkbox"/> The proposed amendment(s) will not be entered because:</p>		
<p>(a) <input type="checkbox"/> they raise new issues that would require further consideration and/or search (see NOTE below);</p>		
<p>(b) <input type="checkbox"/> they raise the issue of new matter (see Note below);</p>		
<p>(c) <input type="checkbox"/> they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or</p>		
<p>(d) <input checked="" type="checkbox"/> they present additional claims without canceling a corresponding number of finally rejected claims.</p>		
<p>NOTE: <u>they present additional claim 32 without canceling claim 13.</u></p>		
<p>3. <input type="checkbox"/> Applicant's reply has overcome the following rejection(s): _____. </p>		
<p>4. <input type="checkbox"/> Newly proposed or amended claim(s) ____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).</p>		
<p>5. <input checked="" type="checkbox"/> The a)<input type="checkbox"/> affidavit, b)<input type="checkbox"/> exhibit, or c)<input checked="" type="checkbox"/> request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u></p>		
<p>6. <input type="checkbox"/> The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.</p>		
<p>7. <input checked="" type="checkbox"/> For purposes of Appeal, the proposed amendment(s) a)<input checked="" type="checkbox"/> will not be entered or b)<input type="checkbox"/> will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.</p>		
<p>The status of the claim(s) is (or will be) as follows:</p>		
<p>Claim(s) allowed: <u>none</u>.</p>		
<p>Claim(s) objected to: <u>13</u>.</p>		
<p>Claim(s) rejected: <u>1-7, 9, 11-12, 14-24, and 30-31.</u></p>		
<p>Claim(s) withdrawn from consideration: _____. </p>		
<p>8. <input type="checkbox"/> The proposed drawing correction filed on ____ is a)<input type="checkbox"/> approved or b)<input type="checkbox"/> disapproved by the Examiner.</p>		
<p>9. <input type="checkbox"/> Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____. </p>		
<p>10. <input type="checkbox"/> Other: _____. </p>		

Continuation of 5. does NOT place the application in condition for allowance because: for the reasons as stated in the last Office action Applicant's arguments are based on the combination of factors to determine whether the compound is soluble, such as the nature of each of the "adjacent substituents", on the phenylene vinylene unit, the nature of any repeat units in the polymer backbone other than the phenylene vinylene units. Said arguments have been fully considered but they are not persuasive since the references do disclose the identical components with that of the claims. Further, the use of the term "soluble or insoluble" in this particular case does not mean anything since it raise an issue "is it soluble or insoluble in what? in water or in organic solvent. Further, a question is raised why Applicant's response to this question by presenting a diagram to show the one step process shown in part C exemplifies a compound having the soluble characteristic. That means this characteristic is based on the steps of the process. However, the references do disclose the requirements for the claimed composition/processes, as stated in the last Office action. .

DUCTRUONG
PRIMARY EXAMINER